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INFO RUEHZA/WHA CENTRAL AMERICAN COLLECTIVE
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NVC FOR FPM; TO DS/CR/OCI James Schnaible
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E.O. 12958: N/A
TAGS: [KFRD](#) [CVIS](#) [ASEC](#) [CPAS](#) [CMGT](#) [PREL](#) [PTER](#) [XK](#) [NU](#)
SUBJECT: FRAUD SUMMARY - MANAGUA, NICARAGUA

REF: (A) Managua 2544
(B) Managua 2332
(C) Managua 1899

1. (SBU) The following is Managua's quarterly report on the fraud situation at post for the fourth quarter FY 07. Headings follow reftel information requests.

a. COUNTRY CONDITIONS

In the last few months Nicaragua has been impacted by natural disasters, political instability and rising oil prices that have negatively affected the economy. Furthermore, Hurricane Felix had a serious impact on the infrastructure of the country's coastal region and continuing heavy rains adversely affected harvests in the central and northern part of the territory. These economic factors could lead to an increase in NIV applications for the next year.

b. NIV FRAUD

For the fourth quarter of FY 2007, 84 percent of the NIV workload at post consisted of B1/B2 cases, followed by 6 percent C1/D and 3 percent C1.

The most common NIV fraud continues to involve B1/B2 cases with easily detectable altered bank statements, falsified job letters and fake payment stubs. However, there have been a few serious NIV fraud cases worth noting this quarter.

The annual Exponica Crafts Fair in Miami brings forth hundreds of marginal NIV applicants, creating ample opportunity for fraud. Through pre-screening the Exponica cases, FPU has been able to alert adjudicating officers to potential fraud. In one particular case, FPU detected two different applicants with pictures of themselves posing at the same workshop claiming to be from two different geographic regions. Small retailers use these pictures as a way to provide the consular officer with "evidence" of their alleged work. FPU has started grouping these cases to report fraud trends in large groups such as this.

FPU remains alert to problems related to trafficking in children. One success story involved a voice message tip advising that a child would be smuggled to the U.S. through putative parents holding valid visas. Taking advantage of the "text search" option in CCD, FPU located the three minors and the parents from the alert. The Nicaraguan Civil Central Registrar's Office confirmed the biological relationship between two of the minors and the parents; however, one child was not listed as the alleged parent's biological child. FPU

interviewed both of the parents separately. The father was the first confronted with the evidence. He openly admitted that the minor was not his daughter but his niece. He also stated the minor's parents were illegally present in the U.S. The alleged mother was reluctant to admit fraud to FPU, but in the end signed a sworn confession to the fraud. All visas were revoked. Interviewing techniques played a major role in solving this case.

FPU initiated a communication between DHS and DOS in regard to providing I-275 electronically to CONS. Once it becomes fully functional, the electronic process will save time and allow adjudicating officers to search for and review files electronically.

c. IV FRAUD

Nicaraguan civil documents are still vulnerable to fraud in IV cases. An FPU Assistant detected a late birth inscription in an immigrant visa case and referred the case to FPU. During the interview the beneficiary admitted being the nephew and not the petitioner's biological son.

d. DV FRAUD

No changes or updates to report this quarter.

e. ACS AND PASSPORT FRAUD

During this reporting period, two fathers admitted to the Consul while processing CRBA applications for their "children" that they were not the biological fathers. Interviewing techniques played a major role in deterring these fraudulent applications. The FPU has performed five investigations for the ACS unit. While none of these investigations confirmed fraud, they were invaluable in uncovering potential vulnerabilities in the documentation process of children born at private hospitals and actually helped expedite the processing of these CRBA and passport applications.

f. ADOPTION FRAUD

Post continues to work on one of the adoption fraud cases mentioned in the last three quarter's fraud summary. The case involves a five-year-old girl that obtained an NIV to travel to the U.S. with American citizens (Amcits) for medical treatment. The surviving parent gave the Amcits consent to take the child to the U.S. for a short period while she was being treated. (Note: This child was under the custody of the Ministry of the Family when the child was taken out of Nicaragua. The biological mother had no legal authority to grant consent for the child to exit the country. Although the child was permitted out of the country, the consent was invalid. End Note.)

Once in the U.S., the Amcits initiated adoption proceedings. FPU discovered that the Amcits used falsified documents to file for the adoption with the Government of Nicaragua (GoN) and with the Department of Homeland Security (DHS). The organization that conducted the family's home study has since rescinded because of the fraud and other related reasons.

The Ministry of the Family recently provided post with a renewed official request to have the child returned to the Nicaragua, including copies of the legal documents which made the child a ward of the state. FPU has provided ICE these legal documents in order to facilitate the removal of the child from the custody of these particular Amcits. The GoN may consider granting adoption of the child to another Amcit family who has already adopted four handicapped Nicaraguan children.

g. ASYLUM AND OTHER DHS BENEFITS

No changes or updates to report this quarter.

h. COOPERATION WITH HOST GOVERNMENT AUTHORITIES

FPU worked with host government authorities at the request of the Office of the Attorney General of Texas who requested Nicaraguan Civil documents to confirm the true age of a Nicaraguan accused in a murder case.

The GoN recently implemented new procedures for consular access to American prisoners, which have limited consular, family, and attorney access to American prisoners. On four different occasions Consular Staff members were denied access to American prisoners in local facilities although the proper procedures to request access were followed.

While a recent meeting between the Ambassador and the Minister of Government has appeared to resolve these issues for now, based on past experience, we project that this will be an ongoing issue for the Consular Section during the Ortega Administration.

The FPU has played an active role in attempting to set up consular prison visits as well as enhance communication between the GoN and the consular section.

i. AREAS OF PARTICULAR CONCERN

The GoN has a three category visa system. Category A countries do not require visas to enter Nicaragua; many of the category A countries coincide with U.S. Visa Waiver Countries. Category B visas consist of consular visas that can be issued at the discretion of consular officials posted abroad without any consultation with Managua. Category C countries require the approval of the Nicaraguan Immigration Service prior to visa issuance by a Consular Official, and consist largely of countries of special concern (both with regard to illegal migration and international terrorism).

The GoN is currently considering a redesign of their Visa Category Chart to reflect the new diplomatic relations and priorities of the Ortega Administration. The first step in this direction was taken on November 28, 2007, when the Nicaraguan government sent a letter to all air carriers operating at Managua's International Airport announcing that all Libyans and Iranians (diplomats/officials/regulars) could enter Nicaragua without a visa (REF A). Additional changes are expected to follow.

High-ranking government officials in the Foreign Ministry have also suggested to Embassy officials on several occasions the possibility of making Nicaragua a completely "visa free" country which allows all nationalities in without visas. Obviously, such a radical change would be of major concern to the USG in terms both of illegal immigration and the movement of terrorists and other criminal elements.

Costa Rica's new diplomatic relationship with The People's Republic of China has the potential to draw a large numbers of northward-bound Chinese migrants to the Central America region. Nicaragua's southern border with Costa Rica is extremely vulnerable to illegal immigration (and trafficking of people and/or drugs). The GoN continues to meet with neighboring northern partners in the CA-4 free movement area (Guatemala, Honduras and El Salvador) towards establishing a single Central American Visa. Although the recent GON decision to allow Iran visa-free entry has caused consternation among the other C-4 nations.

j. STAFFING AND TRAINING

The FPU in coordination with ARSO-I continue to hold bi-weekly fraud training sessions for consular officers and local consular staff. This quarter FPU and ARSO-I conducted basic U.S. travel document fraud training for twenty individuals from two major airlines.

Trivelli